

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JENMARIE L. BYRNES and DONNA	:	
FLORKIEWICZ,	:	
	:	
Plaintiffs,	:	Civil Action No. 11-CV-8809
	:	
-against-	:	
	:	
NEW YORK STATE NURSES ASSOCIATION,	:	
and PATRICIA DILILLO, JUDY SHERIDAN-	:	
GONZALEZ, PATRICIA KANE, ANNE BOVE,	:	
ANTHONY CIAMPA, SHIRLEY HUNTER,	:	
GRACE OTTO, VERONICA RICHARDSON and	:	
VIRGINIA STEWART,	:	
	:	
Defendants.	:	
-----	x	

DECLARATION OF JULIE PINKHAM

I, Julie Pinkham, under penalty of perjury and in lieu of an affidavit as permitted by 28 U.S.C. §1743, hereby declare as follows:

1. I am the newly-appointed interim Executive Director of defendant New York State Nurses Association ("NYSNA"). As part of my duties, I am ultimately in charge of all NYSNA staff personnel.

2. I make this declaration for the purpose of clarifying that NYSNA has not authorized the expenditure of any funds for the purpose of favoring the newly elected Board of Directors as compared to the prior Board of Directors.

3. In particular, there is a flyer that the plaintiffs complain of that is referenced in a newspaper article that is annexed as Exhibit L to the declaration of plaintiff Jennmarie L. Byrnes. I have not seen this flyer but no such flyer has been authorized by me or any of the staff that I supervise at NYSNA.

4. In addition, plaintiffs claim of a memorandum that I sent to NYSNA president Winifred Kennedy, which is annexed hereto, which states: that “[c]onsistent with the Board of Director’s motion and existing NYSNA policy, you are not to take any action(s) on matters involving the Board. In particular, the correspondence from the ANA dated November 15, 2011 has been referred to and will be handled by legal counsel.” This memorandum was transmitted consistent with the Board’s direction, and accurately reflects Kennedy’s authority acting in her capacity as president of NYSNA.

Dated: December 8, 2011



JULIE PINKHAM



Advocating for patients. Advancing the profession.

November 21, 2011

TO: Winifred Kennedy, President, NYSNA Board of Directors

FROM: Julie Pinkham, RN, Interim Executive Director

Consistent with the Board of Director's motion and existing NYSNA policy, you are not to take any action(s) on matters involving the Board. In particular, the correspondence from the ANA dated November 15, 2011 has been referred to and will be handled by outside legal counsel.

CERTIFIED MAIL-return receipt requested (7010 3090 0001 9894 4827)

cc: NYSNA Board of Directors
Richard Silber

Constituent of the American Nurses Association
Constituent of the National Federation of Nurses

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